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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 9760**  
Herbert MOESSLER et al. : Attorney Docket No. 2006\_1221A  
Serial No. 10/587,859 :  
Filed July 28, 2006 : Examiner Not yet assigned  
NEUROPROTECTIVE :  
DIETARY SUPPLEMENT : **Mail Stop: MISSING PARTS**

**REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

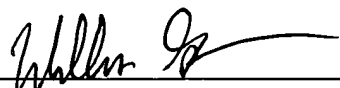
Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. § 371, dated February 15, 2008, Applicants note that formal drawings in accordance with 37 CFR § 1.81 were submitted on June 29, 2007. Furthermore, Applicants note that the Notice requires a \$130.00 fee for English translation surcharge. However, Applicants note that the International Application PCT/EP2005/000741 was filed in English and published in English, thus no translation surcharge is applicable.

Having met all of the requirements for filing, Applicants respectfully request an official Filing Receipt.

Respectfully submitted,

Herbert MOESSLER et al.

By:   
William R. Schmidt, II  
Registration No. 58,327  
Attorney for Applicants

WRS/lq  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
April 9, 2008



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,859	Herbert Moessler	2006_1221A

513  
WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

INTERNATIONAL APPLICATION NO.
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PCT/EP05/00741

I.A. FILING DATE	PRIORITY DATE
01/26/2005	01/29/2004

CONFIRMATION NO. 9760  
371 FORMALITIES LETTER



Date Mailed: 02/15/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/28/2006
- English Translation of the IA filed on 05/04/2007
- Copy of the International Search Report filed on 07/28/2006
- Preliminary Amendments filed on 05/04/2007
- Biochemical Sequence Diskette filed on 05/04/2007
- Oath or Declaration filed on 09/13/2006
- Biochemical Sequence Listing filed on 05/04/2007
- Request for Immediate Examination filed on 07/28/2006
- U.S. Basic National Fees filed on 07/28/2006
- Substitute Specification filed on 06/29/2007
- Specification filed on 07/28/2006
- Claims filed on 07/28/2006
- Abstracts filed on 07/28/2006

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210